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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,268	03/13/2001	Makoto Muraishi	826.1697/JDH	9108
21171	7590	10/19/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			CHUONG, TRUC T	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/804,268

Applicant(s)

MURAISHI ET AL.

Examiner

Truc T. Chuong

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 10, 11, 14 and 18-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 10, 11, 14 and 18-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to the RCE filed 07/22/05.

Claims 1, 10, 11, 14, and 18-25 are pending in this application. In this communication, claims 1, 10, 11, and 14 are amended, claims 18-25 are new claims, and claims 2-9, 12-13, and 15-17 are cancelled. This action is made non-final.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 10, 11, 14, and 18-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Enokido et al. (U.S. Patent No. 6,243,835).

As to claims 1 and 14, Enokido teaches a test support apparatus for supporting a test of a screen program using a graphic user interface, comprising:

a test support class generation unit obtaining screen definition information defining a test target screen program, and generating a test support class which is a subclass inheriting a class of the test target screen program responsive to the screen definition information, and a class for testing the test target screen program;

a test specification generation unit generating a test specification for the test target screen program according to the definition information, and providing the test specification for the test support class (the test specification generation system generating the test specification based on the specification and the design information, e.g., col. 1 line 66-col. 2 line 22, col. 4 lines 23-65, and figs. 8-16); and

a test execution unit conducting a test of the test target screen program defined by the screen definition information using the generated test support class to thereby test the screen program using the graphical user interface (GUI for testing the program, e.g., col. 5 lines 47-64, col. 7 line 66-col. 8 line 10, and figs. 19-23); and

wherein the test support class has a function of supporting input of input test data, by displaying on the screen a menu of a test data and its attribute according to the test specification, and embedding the test data instructed by an operator in an input field on the screen (testing lists with all the data used in testing the software, e.g., col. 5 lines 47-67, col. 7 lines 20-66, and figs. 5-9).

As to claim 10, this is a method claim of the apparatus claim 1. Note the rejection of claim 1 above.

As to claim 11, this is a computer program product claim of the apparatus claim 1. Note the rejections of claim 1 above.

As to claims 18 and 24, Enokido teaches the apparatus according to claim 1, wherein said test specification includes a test item and content of test related to the test data (e.g., col. 7 lines 19-66, and figs. 5-9), the test related to the test data, the test item indicating whether

the test data is a normal value or an abnormal value (input error tests, e.g., col. 12 lines 10-26), and the content of test indicating the type of test item (e.g., col. 11 lines 14-30), and

said menu displayed on the screen includes the test item, the type of the test, and the test data (col. 7 lines 19-66, and figs. 5-9).

As to claims 19 and 25, Enokido teaches the apparatus according to claim 1, wherein said test support class further deletes the test data executed by the test execution unit from the menu displayed on the screen (action list of fig. 9 has Delete key/function on the list when testing, e.g., col. 7 lines 48-53, and fig. 9).

As to claims 20-21, they are method claims of the apparatus claims 18-19. Note the rejections of claims 18-19 above respectively.

As to claims 22-23, they are computer program product claims of the apparatus claims 18-19. Note the rejections of claims 18-19 above respectively.

Response to Arguments

3. Applicant's arguments filed 07/22/05 with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hayes (U.S. Patent No. 5,799,266) teaches test specifications, test generators, test drivers, attributes, interfaces, inputs/outputs, and menu (cols. 2-10 and figs. 3-11).

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

10/15/05


BA HUYNH
PRIMARY EXAMINER